

SPENCER FLEES CLOSING TALK

H. A. Smith, Special Counsel for the Prosecution, Raps the Polygamist.

MAN ACCUSED BY IVY WALLACE TURNS PALE

Judge Diehl Will Render His Decision in the Case Next Saturday.

Samuel G. Spencer, high Mormon churchman and polygamist, turned pale as he listened to the argument of H. A. Smith, special counsel for the prosecution, in Judge Diehl's court Wednesday morning at the conclusion of his preliminary hearing for the alleged attempted ruin of Ivy Wallace, 15 years old.

Mr. Smith's address to the court was a powerful plea for the binding over of the defendant to the District court to answer to the grave charge made against him by the country girl of tender years. He spoke for one hour and fifteen minutes, beginning at 10 o'clock, and when, in his argument, he turned toward Spencer in a terrible arraignment, the defendant's face lost color.

At the conclusion of Mr. Smith's argument Judge Diehl announced that he will take the case under advisement until Saturday morning, at which time he will decide whether to release Spencer or bind him over to answer to the higher court.

Mr. Smith's Address.

Briefly, Mr. Smith agreed with the defense that the crime charged is a most shocking one, one of the most revolting in the criminal history of the State. The motive back of the girl's accusations could not be a desire to extort money or its equivalent—property—from the defendant, since his offers of money, property, his freedom, even his life, to buy up the case out of court had been spurned by the girl's relatives. The defense contended that, that some one other than the defendant must have committed the assault alleged upon the girl. There was no sense or reason in looking elsewhere for the seducer when not a breath of suspicion was attached to any other person as the girl's betrayer.

Even the defense admitted that there was strong evidence that the crime charged had been committed. Mr. Smith said, "Why did Ivy Wallace charge this thing as taking place in the presence of others when, if she had wished to perjure herself she might have had it occurring alone with Spencer?" he thundered. He then alluded to the hitherto spotless character and purity of the girl.

It was difficult to impeach the testimony of Spencer and his daughters, Mr. Smith confessed, but the defense admitted that he slept with his fifteen-year-old daughter one night, the night of the defendant's arrest by Deputy Sheriff Sperry and Corlies.

Damaging Admissions.

According to Spencer's own testimony, the night of his arrest his daughter, Louie, was at the Wallace residence at Granger. Spencer at once sent his son to Granger to bring the daughter home, on the grounds that it was not fit place for a human being to be. Mr. Smith argued that Spencer was guilty, and wanted to get his daughter from the Wallace home to keep her from the authorities for fear she might give incriminating evidence against him.

The taking of his wife, his son and his daughter to the Bertch home when he was seeking an interview with his accuser was a clever ruse on the part of the defendant. If he did not succeed in getting his wife, he then would have witnesses to offset the testimony of the girl's relatives.

Bishop Spencer testified, Mr. Smith said, that Spencer came to his home to induce him to go to the Bertch family to get them to interfere with the girl for an interview. At the conference at the Bertch home the next day Spencer pleaded:

"What do you want? I'll give you money. I'll give you property. You can take my life. You can send me to the penitentiary. You may have humane feelings, though, for some of you or your children may go astray yourselves some day."

Fell on Knees to Mother.

Soon after this outburst, Mr. Smith said, Spencer entered the house, and, falling on his knees, begged for the girl's grandmother to intercede for him to stop the prosecution. "Do you suppose that this old woman, so aged already that she has one foot in the grave, would come into this court and testify falsely against her dead sister's son in this matter?" asked Mr. Smith.

Mr. Smith brought out prominently one of the strongest bits of evidence against Spencer, the testimony of Sheriff Emery. Spencer, he deplored, that Louie Spencer, at the Wallace home the night of her father's arrest, admitted that Spencer had slept with her within ten days previously.

He said that Sheriff Emery had kindly told the girl that he was the Sheriff, and, without attempting to intimidate her into giving damaging confessions against her father, as is done and excused in many instances, had asked her to tell him all of the truth she knew about the matter against the uncle parent. That the Sheriff and his deputy beat Spencer's son to the Wallace home was another point made by the attorney.

Explosive Criticism of Sheriff.

By quoting from section 4637 of the revised statutes of 1898, as to when an officer may make an arrest without a warrant, Mr. Smith took the force out of the defense's criticism of Deputy Sheriff Sperry and Corlies for arresting Spencer without a warrant at night. Paragraphs 4 and 5 say that an officer may make an arrest.

"On a charge, made upon reasonable cause, of the commission of a felony by the party arrested."

"At night, when there is reasonable cause to believe that he has committed a felony."

Spencer was palpably nervous and ill at ease at the close of the attorney's arraignment. In the six days the trial has consumed he has changed more than a dozen times, and has lost considerable flesh, and does not carry the confident bearing with which he entered the case.

UTAH GETS ITS SHARE OF INCOMING ALIENS

More Than Four Thousand Foreigners Come to State During Twelvemonth.

The State Bureau of Statistics has compiled some interesting figures regarding the aliens who arrived in the United States from June 30, 1906, to June 30, 1907, with Utah as their objective point. From the annual report of the Commissioner-General of Immigration for the year ended June 30, 1907, 1,285,349 foreigners landed upon our shores. This was an increase of 134,614 over the preceding year, and of the total number 4211 announced Utah as the place where they expected to reside. For the preceding year 2751 came to Utah. The nationality of the 4211 immigrants is given as follows:

Bohemian, 1; Bulgarians, 1; Serbians, 1; Montenegrins, 1; Chinese, 4; Croatian and Slavonian, 376; Dalmatian, Bosnian and Herzegovinian, 13; Dutch and Flemish, 166; English, 739; Finnish, 106; French, 29; German, 249; Greek, 842; Hebrew, 20; Irish, 15; Italians (north), 466; Italians (south), 265; Japanese, 24; Mayan, 1; Polish, 1; Roumanian, 1; Scandinavian (Danish, Norwegian and Swedish), 44; Slovak, 31; Slovenian, 10; Spanish, 8; Syrian, 10; Welsh, 7; other peoples, 2, total, 4211.

For the month ending June 30, 1907, one petition for naturalization was filed in the Federal court, and fifty-six in the State courts.

For the same period the Federal court issued 4 and the State courts 182 certificates of naturalization.

Petitions for naturalization were denied by the State courts during the period above quoted.

SAYS SPOUSE MADE THREAT OF MURDER

Woman Asks Release From Husband She Says Is Abusive and Neglectful.

Sarah A. Briggs says that John Briggs, her husband, has not treated her as a wife should be treated and she accordingly asks the Third District court for a decree of divorce. They were married in May, 1902, and have two children.

Mrs. Briggs says that on July 5, 1907, her husband threatened to kill her. Before this, on May 15, 1905, Mrs. Briggs says, Briggs left home and remained several days, leaving her with a very young child, and failing to leave anything in the house to eat.

It is also alleged that upon numerous occasions Briggs used abusive language to his wife.

Mrs. Briggs asks for a decree of divorce, \$15 a month alimony, the custody of the children and the restoration of her maiden name, Sarah A. McClaren.

THINGS YOU VALUE

are best kept where no harm can come to them. For \$3.50 a year you can keep them in our danger-proof safe deposit vaults, where every convenient and convenient are afforded you, and obliging attendants are pleased to serve you.

UTAH SAVINGS AND TRUST COMPANY, No. 235 Main Street, in the business heart.

ANOTHER REQUIREMENT TO COAL LAND REGULATION

Notice has been received by the local land office that paragraph 18 of the coal land regulations has been amended by another requirement being added. The amendment follows:

The claimant will be required within thirty days after the expiration of the period of newspaper publication to furnish the proofs specified in said paragraph and tender the purchase price of the land. Should the specified proofs and purchase price be not furnished and tendered by the time the land office officers will thereupon reject the application, subject to appeal. Furthermore, in the exercise of a preference right to purchase, no part of the thirty-day period specified herein may extend beyond the year fixed by the statute.

EXCURSION TO OGDEN

Via O. S. L. Monday, 13th, for Nelson-Clifford boxing contest. Round trip \$1.00. Special at 7:00 p. m. Four other trains.

HIGH SCHOOLERS GET READY FOR SEASON

A meeting of the applicants for positions on the high school track team will be held in the high school gymnasium Thursday afternoon at 3 o'clock. The students are being acquainted with their new coach. The services of Coach Anns of Michigan have been secured for the coming season, and preliminary training will begin at once. It is expected that a large delegation will be present at the meeting. The meeting will be held in the gymnasium before the close of school in December, at which officers of the track team for the coming season were elected. Lew Kierick was elected captain of the team and Movie Gray, manager.

Open for Business.

Not closed as reported, but running with a good force of men and in a position to do all classes of work in the foundry. Machine and blacksmith line at reasonable rates. We also have in stock a large assortment of structural iron and steel.

HYRUM A. SILVER FOUNDRY AND MACHINE CO., Both phones 3003.

Gives Stag Party to Friends.

Morris Critchlow gave a stag party Wednesday night at the home of George R. Hancock, 447 Seventh East, to his friends, Albert Baldwin, Jack Williamson, Fisher Harris, Joseph Samuel, Thomas Walton and Raymond Scranton.

It is very important, and, in fact, it is absolutely necessary to health that we give relief to the stomach promptly at the first signs of trouble. Take something once in a while, especially after meals, something like KODOL. For Dyspepsia and Indigestion. It will enable your stomach to do its work properly. Sold by Anstee-Brice Drug Co., 44 Main street.

Kodak Finishing.

Salt Lake Photo Supply Co., 143 Main St.

STOCK OWNED WORTH \$550,000

L. C. Van Riper of New York, Plaintiff in Suit, Visits Salt Lake.

C. H. BOTSFORD OF GOLDFIELD IS CONTESTING THE CLAIM

Mr. Van Riper Talks of Present Conditions in the Mining Camp.

L. C. Van Riper of New York, who, with Joseph Hutchinson, formerly Lieutenant-Governor of Idaho, is suing C. H. Botsford in the District court at Goldfield for profits incident to the transfer to the Goldfield Consolidated of an option on the Combination properties in Nevada and involving stock worth \$550,000, is in Salt Lake City, on his way to the Nevada mining town, where the case will come up for trial before Judge O'Brien, January 13.

Hutchinson and Van Riper saw an opportunity to negative the apex claims of the Goldfield Consolidated and the Red Top companies and the Combination, by obtaining an option on the latter and disposing of it to the other mines, which has been the case of the Goldfield Consolidated. Botsford was in the deal and is charged by Hutchinson and Van Riper with attempting to appropriate to his own use the profits of the transfer, consisting of 30,000 shares, worth \$11 each. Botsford was served with an injunction prohibiting the transfer of the stock, December 30, 1906, and subsequently attempted to carry the case through the courts.

He was a resident of Los Angeles. This, according to Van Riper, was successfully contradicted.

Conditions in Goldfield.

Concerning conditions in Goldfield, Mr. Van Riper said:

"I have not been in the camp since the federal troops were sent there, but I believe the strike has been effectively broken and that conditions will remain normal and orderly so long as the soldiers are present. When they leave the mine will revive their guerrilla warfare and there will no doubt be considerable trouble. There is little probability of disturbance. The strike has been effectively broken and that conditions will remain normal and orderly so long as the soldiers are present. When they leave the mine will revive their guerrilla warfare and there will no doubt be considerable trouble. There is little probability of disturbance. The strike has been effectively broken and that conditions will remain normal and orderly so long as the soldiers are present. When they leave the mine will revive their guerrilla warfare and there will no doubt be considerable trouble. There is little probability of disturbance. 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